UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

CHRISTINE D. CARROLL :

A/K/A CHRISTINE CARROLL : Bk. No. 10-11065 BIF

Debtor :

: Chapter No. 13

JPMORGAN CHASE BANK, N.A.

Dated: March 24, 2010

Movant

V.

: 11 U.S.C. §362

CHRISTINE D. CARROLL A/K/A CHRISTINE CARROLL

E CARROLL :

Respondent :

OBJECTION OF JPMORGAN CHASE BANK, N.A. TO CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN

Movant, **JPMORGAN CHASE BANK**, **N.A.** (hereinafter referred to as "Movant"), by its attorneys Phelan Hallinan & Schmieg, LLP hereby objects to confirmation of the Debtor's Chapter 13 Plan as follows:

- 1. Movant is **JPMORGAN CHASE BANK, N.A.**.
- 2. Debtor is CHRISTINE D. CARROLL A/K/A CHRISTINE CARROLL.
- 3. Movant filed a Proof of Claim in the amount of \$53,089.02 for pre-petition arrears. A copy of the Proof of Claim is attached hereto as Exhibit "A" and made a part hereof.
 - 4. Debtors' Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
- 5. Debtor's Plan currently provides for payment to Movant in the amount of \$35,265.87. A copy of Debtor's Plan is attached hereto as Exhibit "B" and made a part hereof.
- 6. Movant objects to the feasibility of the Chapter 13 Plan under 11 U.S.C. §1325(a)(6). The Plan proposed by the Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. §1307. A copy of Debtor's Plan is attached hereto as Exhibit "B" and made a part hereof.

WHEREFORE, **JPMORGAN CHASE BANK**, **N.A.** respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

/s/ Andrew L. Spivack, ESQUIRE
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